

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN**

**UNITED STATES OF AMERICA**  
**ex rel. TODD HEATH,**

*Plaintiff-Relator,*

v.

**WISCONSIN BELL, INC.,**

*Defendant.*

Civil Case No. 2:08-CV-00876-LA  
(Lead Case No. 2:08-CV-00724-LA)

Judge Lynn Adelman

**MOTION FOR JUDGMENT ON THE PLEADINGS**

Pursuant to Federal Rule of Civil Procedure 12(c), Defendant, Wisconsin Bell, Inc., moves for judgment on the pleadings as to the second amended complaint filed by Plaintiff-Relator, Todd Heath, because Heath cannot plausibly allege that Wisconsin Bell's allegedly false statements regarding "lowest corresponding price" were material to the government's reimbursement decisions under the E-Rate program. Judgment on the pleadings is also appropriate on all of Heath's claims based on Wisconsin Bell's alleged conduct before October 16, 2002 because the False Claims Act's six-year statute of limitations bars those claims. The grounds for this motion are set forth more fully in the accompanying memorandum of law.

Dated: November 1, 2016

Respectfully submitted,

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